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BONGINI & BIANCO P.L.**

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TELECOPIER TRANSMITTAL FORM

DATE: March 14, 2006
TO: Examiner Christian LaForgia
FIRM: USPTO, Group Art Unit 2131
FAX #: (571) 273-8300
PHONE: (571) 272-3792
FROM: Jeffrey Giunta

**TOTAL NUMBER OF PAGES: 25
(INCLUDING THIS PAGE)**

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MESSAGE:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Edith H. STERN et al.

Serial No.: 09/497,774

For: *SYSTEM AND METHOD FOR GROUPING RECIPIENTS OF STREAMING DATA*

Enclosed are the following:

Transmittal letter (1 page); Substitute and Replacement Response with Amendment (21 pages); copy of Notice of Non-Compliant Amendment (3 pgs.)

Docket No.: BC9-99-059

120-A99-160

March 14, 2006

MAR 14 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of : Atty. Docket No. BC9-99-059
 Edith H. STERN, et al. : Group Art Unit: 2131
 Serial No. 09/497,774 : Examiner: Christian A. LaForgia
 Filed: February 3, 2000 : Confirmation No. 7893
 For: **SYSTEM AND METHOD FOR GROUPING RECIPIENTS OF STREAMING DATA**

TRANSMITTAL**MAIL STOP AMENDMENT**

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

SIR:

Transmitted herewith is an amendment in the above-identified application, and the following:

☒ Copy of Notice of Non-Compliant Amendment

☒ No additional filing fee is required.

The fee has been calculated as shown below. *(Small entity fees indicated in parentheses.)*

| CLAIMS AS AMENDED | | | | | | |
|--------------------------------------------|-------------------------------------------|--------------------------------|---------------------------------------------|--------------|--------------------|--------|
| (1) | (2) | (3) | (4) | (5) | (6) | (7) |
| | Claims Remaining After Amendment | | Highest Number Previously Paid For | Extra Claims | Rate | Fee |
| Total Claims (Small Entity) | 40 | - | 47 | 0 | 50.00 (25.00) | 0 |
| Independent claims (Small Entity) | 6 | - | 7 | 0 | 200.00 (100.00) | 0 |
| Multiple Dependent (Small Entity) | 0 | - | 0 | 0 | 360.00 (180.00) | 0 |
| Extension of Time Fee (Small Entity) | One Month \$120 (\$60) | Two Months \$450 (\$225) | Three Months \$1020 (\$510) | | | 0 |
| Total | | | | | | \$0.00 |

XX The Commissioner is hereby authorized to charge any required fees to Deposit Account No. 09-0452.

Respectfully submitted,

Date: MARCH 14, 2006By: 

Jeffrey Giunta
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MAR 14 2006

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/497,774 Confirmation No. : 7893
Applicant : Edith H. STERN et al.
Filed : 02/03/2000
Art Unit : 2131
Examiner : LAFORGIA, Christian A.
Docket No. : BC9-99-059
Customer No. : 23334

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

On March 14, 2006
Date
Karen Taragowski Karen Taragowski
Name Signature

SUBSTITUTE AND REPLACEMENT RESPONSE WITH AMENDMENT UNDER 37
C.F.R. § 1.111VIA FACSIMILE (571) 273-8300

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

ATTENTION: Patent Examiner LAFORGIA, Tel. (571) 272-3792

SIR:

This is in response to the Notice of Non-Compliant amendment dated February 14, 2006, attached hereto, in which the amendment to the claims were not compliant under 37 CFR 1.121, which responded to the Applicants' bona fide attempt to reply to an Office Action on November 10, 2005. This amendment with the following remarks is a substitute and a replacement for the Applicants' Response with Amendment filed on November 10, 2005. Please enter and consider the following amendment and remarks prior to an examination on the merits and calculation of any fees:

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this paper.

Remarks/Arguments begin on page 14 of this paper.

Copy of Notice of Non-Compliant Amendment is attached.

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